

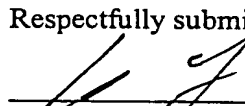
## REMARKS

On October 15, 2003, applicants filed an RCE to have the appeal process terminated, and requested entry of amendments not entered after final. The Board of Appeals on March 25, 2004, nevertheless made a decision on the merits that was favorable to applicants on the unamended version of the claims. This amendment recaptures material previously amended out of the claims but now allowed by the Board.

There is also an outstanding double patenting issue. The Board affirmed the double patenting rejection because applicants did not provide arguments in the Appeal Brief. For the same reasons that the claims were held not obvious by the Board, the claims are also not obvious under the obviousness-type double patenting issue. Additionally, the assignees are not the same on the current application and on the now issued patent over which the rejection is made.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

  
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